IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.23378 of 2008
With
Cr. Misc. No. 24192 of 2008
With
Cr. Misc. No. 23474 of 2008
****

DR. MD. AZHAR HASSAN & ANR .. PETITOINERS
(in Cr. Misc. No.23378/08)

DR.ABHAY RANJAN ..PETITONER
(in Cr. Misc. No. 24192/08)

DR. SANJAY KUMAR .. PETITIONER
(in Cr. Misc. No. 23474/08)

Versus

THE STATE OF BIHAR .. OPPOSITE PARTY
(in all the cases)

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/3/ **19.08.2008** Heard the counsel for the petitioners and the State.

2. Petitioners in all three applications are Doctors posted in Patna Medical College Hospital. They are apprehending their arrest in connection with Pirbahore P.S. Case No. 105 of 2008 registered for offence under Sections 341, 323, 504, 304 and 34 of the Indian Penal Code. Except Section 304 of the Indian Penal Code all other offences are bail able. Counsel for the petitioners submits that considering

the allegation as well as the facts of the case, no offence under Section 304 of the Indian Penal Code is made out. It is not a case of negligence.

3. Considering the facts, the prayer for anticipatory bail on behalf of the petitioners, Dr. Md. Azhar Hassan and Dr. Md. Anay Tulla (in Cr. Misc. No. 23378 of 2008), Dr. Abhay Ranjan (in Cr. Misc. No. 24192 of 2008) and Dr. Sanjay Kumar (in Cr. Misc. No. 23474 of 2008) is **allowed**. They are directed to be released on anticipatory bail, in case of their surrender before the Court concerned within four weeks from today, on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with the aforementioned case to the satisfaction of the Chief Judicial Magistrate, Patna, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

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4. As informed, the Advocates of the Civil Court are not cooperating with the petitioners. If still they are not cooperating then the petitioner should be released on bail on their personal bonds.

(Mridula Mishra, J.)

S.A.